

**Remarks**

Applicants request consideration on the merits of the above-referenced patent application.

**I. Amendments to the Claims**

This Amendment cancels claims 7, 11, 16, 17, 33, 34, 53, 54, 62, and 63. Thus, claims 1-6, 8, 10, 12, 14, 15, 19-24, 26-32, 37-44, 46-52, and 57-61 are pending. Applicants have amended claims 1, 2, 8, 12, 14, 19, 20, 39, 40, and 59. All the pending claims, including the amendments, are shown in the previous section. These amendments do not introduce new matter. Specifically:

Claims 1, 2, 19, 20, 39, 40, and 59 have been amended to remove -C(O)N(H)(OH) from the list of R<sup>20</sup> substituents. This amendment is supported by, for example, claim 11 (as originally filed), which recognizes -C(O)N(H)(OH) as a subset of the possible R<sup>20</sup> substituents.

Other amendments correct obvious or grammatical errors, or simply rephrase the claims. Such amendments are permissible under MPEP § 2163.07.

**II. Response to Restriction Requirement Comments**

Applicants acknowledge the Examiner's indication that the method-of-use claims will be rejoined pursuant to MPEP § 821.04 once the compound claims are found to be allowable.

**III. Response to Double Patenting Rejection**

Claims 1-6, 11, 12, 14, 16, and 17 have been rejected under the judicially-created doctrine of obviousness-type double patenting in view of the claims in U.S. Patent No. 6,451,791. Applicants request withdrawal of this rejection. Claims 11, 16, and 17 have been canceled, thereby mooted this rejection as to those claims. As to the remaining rejected claims, -NC(O)N(H)OH has been removed from the list of R<sup>20</sup> substituents. Applicants submit that these claims are therefore allowable over the cited reference for at least the same reasons that claims 7, 8, 10, and 15 have been found to be allowable.

Applicants amended the R<sup>20</sup> definition in an effort to expedite prosecution of this application. Applicants, however, make no representation as to the merits of the double patenting rejection.

**IV. Acknowledgment of Allowable Subject Matter and Response to Claim Objections**

Applicants acknowledge that the subject matter of claims 7, 8, 10, and 15 has been found to be allowable.

**V. Response to Claim Objections**

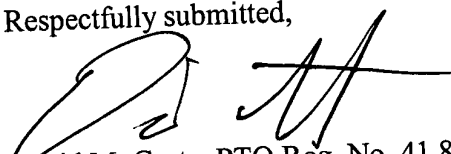
An objection has been raised to claims 7, 8, 10, and 15 for being dependent upon a rejected base claim. Applicants request withdrawal of this objection. As noted above, claim 7 has been canceled, thereby mooting this objection as to that claim. As to claims 8, 10, and 15, Applicants submit that the base claims from which claims 8, 10, and 15 depend are allowable.

\* \* \* \* \*

Applicants do not believe that they owe any fee in connection with this amendment. If, however, Applicants do owe any fee(s), the Commissioner is hereby authorized to charge the fee(s) to Deposit Account No. **08-0750**. In addition, if there is ever any other fee deficiency or overpayment under 37 C.F.R. § 1.16 or § 1.17 in connection with this patent application, the commissioner is hereby authorized to charge such deficiency or overpayment to Deposit Account No. **08-0750**.

Applicants submit that the pending claims are in condition for allowance, and request that this application be allowed. The Examiner is requested to call the Undersigned if any issues arise that can be addressed over the phone to expedite examination of this application.

Respectfully submitted,



David M. Gryte, PTO Reg. No. 41,809  
Harness, Dickey & Pierce  
Suite 400, 7700 Bonhomme  
Clayton, Missouri 63105  
(314) 726-7500 (tel.)  
(314) 726-7501 (fax)

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Amendment C  
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**CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8**

I certify that this correspondence is being deposited with the U.S. Postal Service on October 9, 2003 with sufficient postage as first class mail (including Express Mail per MPEP § 512), and addressed to **Mail Stop Non-Fee Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**

  
David M. Gryte, PTO Reg. No. 41,809

DMG/PML